

45th Legislature, Regular Session; providing for the filling of vacancies in the Board of School Trustees in All Cities constituting Independent School Districts, which have assumed control of their public free schools and having according to the last preceeding Federal Census, a population of not less than 101,000 inhabitants and not more than 105,000 inhabitants, and prescribing the term which such appointees shall serve, and requiring the filling of any such vacancy for the remaining unexpired term at the next general election; and declaring an emergency."

H. B. No. 835, "An Act amending Article 1107, Revised Civil Statutes of Texas, 1925, as amended by Acts of 42nd Legislature, Chapter 250, as amended by Acts of 47th Legislature Chapter 181, and declaring an emergency."

H. B. No. 259, "An Act making it lawful in Comanche County, Texas, for any person to fish with hook, line or seine in any pond, tank, lake or river not owned by the State of Texas and owned and/or controlled by such person, provided that such seines do not have a mesh of less than one inch square; and declaring an emergency."

H. B. No. 338, "An Act to amend Article 1034 of the Revised Penal Code of Texas, 1925, regarding the penalty therein; providing a saving clause; and declaring an emergency."

#### Adjournment

On motion of Senator Taylor, the Senate, at 12:40 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

#### SEVENTIETH DAY

(Wednesday, May 9, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Graves
Brown	Hazlewood
Bullock	Jones
Carney	Knight
Chadick	Lane
Crawford	Lanning

Martin	Stanford
Moffett	Stone
Moore	Sulak
Morris	Taylor
Parrish	Vick
Ramsey	Weinert
Shivers	Winfield

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

#### Leaves of Absence Granted

Senators Mauritz, Kelley, Spears, York and Metcalfe were granted leaves of absence for today on account of important business on motion of Senator Graves.

#### Report of Standing Committee

Austin, Texas,  
May 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 800, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with amendment and be mimeographed.

BULLOCK, Chairman.

#### Senate Resolution 72

(Extending courtesy to Private and Mrs. Beuret)

Senator Hazlewood offered the following resolution:

Whereas, Private and Mrs. J. W. Beuret, prominent citizens of Cleveland, Ohio, are visting in Austin and are now in the State Capitol observing the proceedings of the Legislature; and,

Whereas, Private and Mrs. Beuret are greatly impressed with the lovely climate and majestic beauty of this Great State and are even contemplating moving their residence here; therefore, be it

Resolved that Private and Mrs. Beuret be extended a cordial welcome to our State Capitol and also be given the privileges of the Floor of

the Senate this 9th day of May, A. D. 1945.

The resolution was read and was adopted.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

The House has tabled S. C. R. No. 30 by a vote of 80 yeas and 53 nays.

H. C. R. No. 75, Instructing conference committee to return final reports.

H. C. R. No. 79, Authorizing certain corrections in House Bill No. 331.

H. C. R. No. 84, Authorizing certain corrections in House Bill No. 838.

H. C. R. No. 86, Suspending Joint Rule No. 21.

H. C. R. No. 88, Relative to corrections in House Bill No. 574.

H. C. R. No. 89, Relative to erecting a monument in memory of the late James E. Ferguson and in honor of Miriam A. Ferguson.

S. B. No. 317, Making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two year period beginning September 1, 1945, and ending August 31, 1947, and for payment of other specified claims and items, and declaring an emergency. With amendments.

H. C. R. No. 93, Recalling House Bills Nos. 729 and 730 from the Governor's Office.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### House Concurrent Resolution 87

On motion of Senator Stanford, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 87, Relative to the observance of the Texas Centennial of Statehood.

The resolution was read and was adopted.

#### House Concurrent Resolution 83

On motion of Senator Moffett, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 83, Authorizing and instructing the Enrolling Clerk of the House to make such typographical corrections in H. B. No. 382 as may be necessary and proper.

The resolution was read and was adopted.

#### House Concurrent Resolution 78

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 78, Recalling House Bill No. 746 from the Governor's Office.

The resolution was read and was adopted.

#### Local and Uncontested Bill Calendar

On motion of Senator Stone, and by unanimese consent, the Senate agreed to hold a session Wednesday, May 16, 1945, at 8:00 o'clock p. m., for the purpose of considering local and uncontested bills.

#### Motion to Set House Bill 82 as Special Order

Senator Sulak moved that House Bill No. 82 be set as a special order for Thursday, May 10, 1945, immediately following the morning call.

The motion was lost by the following vote:

Yeas—9

Bullock	Moffett
Crawford	Parrish
Graves	Sulak
Jones	Winfield
Knight	

Nays—16

Aikin	Morris
Brown	Ramsey
Carney	Shivers
Chadick	Stanford
Hazlewood	Stone
Lane	Taylor
Martin	Vick
Moore	Weinert

## Absent

Lanning

## Absent—Excused

Kelley	Spears
Mauritz	York
Metcalf	

## House Concurrent Resolution 84

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 84, Authorizing certain corrections in the caption of House Bill No. 838.

The resolution was read and was adopted.

## House Bill 437 on Second Reading

On motion of Senator Knight, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 437, A bill to be entitled "An Act to amend Senate Bill No. 158, Acts of the Regular Session of the 48th Legislature so as to extend the time of existence of the Special 9th District Court of Montgomery, Polk, San Jacinto and Trinity Counties, and fixing the effective date of the beginning of such extension; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

## House Bill 437 on Third Reading

Senator Knight moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 437 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Jones
Brown	Knight
Bullock	Lane
Carney	Martin
Chadick	Moffett
Crawford	Moore
Graves	Morris
Hazlewood	Parrish

Ramsey	Taylor
Shivers	Vick
Stanford	Weinert
Stone	Winfield
Sulak	

## Absent

Lanning

## Absent—Excused

Kelley	Spears
Mauritz	York
Metcalf	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—24

Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Stanford
Jones	Stone
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield

## Nays—2

Aikin	Sulak
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## Absent—Excused

Kelley	Spears
Mauritz	York
Metcalf	

## Senate Bill 317 With House Amendments

Senator Lanning called S. B. No. 317 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lanning moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

## House Bill 384 on Second Reading

On motion of Senator Morris, and

by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 384, A bill to be entitled "An Act amending House Bill No. 68, Chapter 3, Acts of the Forty-fourth Legislature, Regular Session, 1935, as amended by Senate Bill No. 332, Chapter 123, Acts of the Forty-fifth Legislature, Regular Session, 1937, as amended by Senate Bill No. 216, Acts of the Forty-sixth Legislature, Regular Session, 1939; as amended by House Bill No. 503, Chapter 368, Acts of the Forty-eighth Legislature, Regular Session, 1943; providing for the reorganization of this special District Court of Smith County, Texas so that hereafter this Special District Court shall include Smith and Wood Counties, Texas; providing date when said Court shall no longer exist; changing time and terms of holding said Special District Court; providing for continuous terms of said Court in each county, so that each term shall continue until the beginning of the next term in each county; etc., and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

#### House Bill 384 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield

Absent—Excused

Kelley	Spears
Mauritz	York
Metcalf	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Stanford
Jones	Stone
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield

Nays—2

Aikin	Sulak
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Absent—Excused

Kelley	Spears
Mauritz	York
Metcalf	

#### House Bill 834 on Second Reading

On motion of Senator Graves, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. 834, Creating a conservation district wholly within Bexar County, Texas.

The President laid the bill before the Senate on its second reading.

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 834, subdivision (g) of section 3 by striking out the words

"deemed by its Board of Directors" and the words "or convenient."

The amendment was adopted.

House Bill No. 834 was then passed to third reading.

#### House Bill 834 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that H. B. No. 834 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

## House Concurrent Resolution 88

On motion of Senator Shivers, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 88, Relative to corrections in House Bill No. 574.

The resolution was read and was adopted.

## House Concurrent Resolution 86

On motion of Senator Shivers, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time.

H. C. R. No. 86, Suspending Joint Rule No. 21 so as to permit consideration of a Senate bill in the House on Thursday, May 10, 1945.

The resolution was read and was adopted.

## House Bill 760 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading.

H. B. No. 760, A bill to be entitled "An Act authorizing and directing the Board of Control of the State of Texas to purchase for any county or other political subdivision of the State such surplus war materials or surplus goods, merchandise, equipment or other wares from the Federal Government or its agencies as may be offered for sale by them, provided such county or other political subdivision requests the Board of Control to make such purchases, and provided sufficient funds are deposited with the Board of Control to cover payment therefor; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

## House Bill 760 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 760 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Lane
Brown	Lanning
Bullock	Martin
Carney	Moffett
Chadick	Moore
Crawford	Morris
Graves	Parrish
Hazlewood	Ramsey
Jones	Shivers
Knight	Stanford

Stone  
Sulak  
Taylor  
Vick

Weinert  
Winfield  
York

Absent—Excused

Kelley  
Mauritz

Metcalf  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin  
Brown  
Bullock  
Carney  
Chadick  
Crawford  
Graves  
Hazlewood  
Jones  
Knight  
Lane  
Lanning  
Martin  
Moffett

Moore  
Morris  
Parrish  
Ramsey  
Shivers  
Stanford  
Stone  
Sulak  
Taylor  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Kelley  
Mauritz

Metcalf  
Spears

#### House Bill 809 on Second Reading

On motion of Senator Sulak, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 809, A bill to be entitled "An Act repealing the provisions of Chapter 210, Acts 48th Legislature, Regular Session, 1943, and providing that no male person of Fayette County, Texas, shall be required to do any kind of road duty or be required to pay any head tax in lieu of such road work or duty; repealing all laws and parts of laws in conflict with the provisions of the Act; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

#### House Bill 809 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 809 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin  
Brown  
Bullock  
Carney  
Chadick  
Crawford  
Graves  
Hazlewood  
Jones  
Knight  
Lane  
Lanning  
Martin  
Moffett

Moore  
Morris  
Parrish  
Ramsey  
Shivers  
Stanford  
Stone  
Sulak  
Taylor  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Kelley  
Mauritz

Metcalf  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin  
Brown  
Bullock  
Carney  
Chadick  
Crawford  
Graves  
Hazlewood  
Jones  
Knight  
Lane  
Lanning  
Martin  
Moffett

Moore  
Morris  
Parrish  
Ramsey  
Shivers  
Stanford  
Stone  
Sulak  
Taylor  
Vick  
Weinert  
Winfield  
York

Absent—Excused

Kelley  
Mauritz

Metcalf  
Spears

#### Committee Substitute House Joint Resolution 13 on Passage to Third Reading

Senator Taylor moved to call from the table for further consideration at this time:

C. S. H. J. R. No. 13, Proposing an amendment to the Constitution of the State of Texas, amending Sections

51a, 51b, 51c, and 51d of Article III so that the same shall consist of one section to be known as Section 51a, providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to actual bona fide citizens of Texas who are needy aged persons over the age of 65 years, needy blind person over the age of 21 years, and needy children under the age of 16 years; providing for the acceptance of financial aid from the Government of the United States for such assistance; providing that the payments of such assistance from State funds shall never exceed [a certain amount of money] per year; providing for the necessary election, form of ballot, proclamation, and publication, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

The motion prevailed.

The President then laid the resolution before the Senate on its passage to third reading; with an amendment by Senator Taylor and an amendment by Senator Martin to the amendment and the following substitute by Senator Metcalfe for the amendment to the amendment pending:

Amend the amendment by striking out the words and figures Thirty-two Million Five Hundred Thousand (\$32,500,000.00) and inserting in lieu thereof the words and figures Thirty-five Million Dollars.

Question first recurring on the substitute for the amendment to the amendment, yeas and nays were demanded.

The substitute was adopted by the following vote:

#### Yeas—15

Aikin	Moffett
Brown	Morris
Carney	Parrish
Chadick	Stone
Crawford	Sulak
Jones	Vick
Knight	York
Lane	

#### Nays—11

Bullock	Martin
Graves	Moore
Hazlewood	Shivers
Lanning	Stanford

Taylor  
Weinert

Winfield

Absent—Excused

Kelley  
Metcalfe

Spears

Paired

Senator Ramsey (present), who would vote "yea" with Senator Mauritz (absent), who would vote "nay."

Question next recurring on the amendment to the amendment as substituted, it was adopted.

Senator Taylor offered the following amendment to the amendment:

Strike out Sub-Section 1, on line 53, page 1, of printed Committee Substitute and insert in lieu thereof the following:

"(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any State supported institution while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application; provided that the maximum payment per month from state funds shall not be more than Twenty Dollars (\$20.00) per month; provided that no such assistance shall be paid to any person who has made an assignment or transfer of property so as to render himself eligible for assistance, or to any person who fails to utilize all of his resources, including all property except a "resident" homestead occupied by him as a home, or to any person owning real property who is unwilling to place a lien against same, to become effective upon his death, for the purpose of reimbursing the State of Texas in the full amount of assistance granted or to be granted."

Senator Chadick offered the following substitute for the amendment and the amendment to the amendment:

Amend the Taylor amendment as amended to House Joint Resolution No. 13 by striking out all of said amendment and inserting in lieu thereof the following:

"Section 1. At an election to be held on the fourth Saturday in August, 1945, there shall be submitted

to the vote of the qualified electors of this State the following hereinafter set out proposed Constitutional Amendments; such proposed Amendments are as follows:

"Section 2. That Section 51-b of Article III of the Constitution of the State of Texas be amended and changed to read as follows:

"The Legislature shall have the power by general laws to provide, under such limitations and restrictions and regulations as may be deemed by the Legislature expedient, for assistance to the needy aged and for the payment of same not to exceed Twenty Dollars (\$20.00) per month each to actual bona fide citizens of Texas who are over the age of sixty-five (65) years; provided that no habitual criminal, and no habitual drunkard, while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such assistance; provided further that the requirements for length of time or actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for old-age assistance, and continuously for one (1) year immediately preceding such application.

"The Legislature shall have authority to accept from the Government of the United States such financial aid for assistance to the needy aged as that Government may offer not inconsistent with the restrictions hereinbefore provided.

"Section 3. The foregoing Constitutional Amendment shall be voted upon as a separate proposition at said election and the ballots at such election shall have printed thereon the following: "FOR the Constitutional Amendment increasing the State's share of old-age assistance to needy persons not to exceed Twenty Dollars (\$20.00) per month per person and requiring an increase in taxes sufficient to pay same" and "AGAINST the Constitutional Amendment increasing the State's share of old-age assistance to needy persons not to exceed Twenty Dollars (\$20.00) per month per person and requiring an increase in taxes sufficient to pay same."

"Section 4. That a new section to be added to Article III of the Constitution to be designated Section 51-e of such Article and to read as follows:

"Section 51-e. No person shall be eligible for old age assistance as provided for in Section 51-b of Article III hereof who has made an assignment or transfer of his property so as to render himself eligible; or who fails to utilize to his needs all of his real property except a residence homestead occupied by him as a home; or who refuses to place a lien against any real property of any nature he may own, to be become enforceable upon his death, for the purpose of reimbursing the State of Texas in the full amount of old age assistance received by him. And the Legislature shall not appropriate more than thirty-five million dollars (\$35,000,000) to be expended in any one fiscal year for the purpose of old age assistance as provided in Section 51-b of Article III hereof and for assistance to the needy blind as provided in Section 51-c of Article III hereof, and for assistance for destitute children as provided in Section 51-d of Article III hereof.

"Section 5. The foregoing Constitutional Amendment shall be voted upon separately and the ballot at such election shall have printed thereon the following: "FOR the Constitutional Amendment rendering ineligible for old-age assistance any person who assigns or transfers property to render himself eligible or fails to utilize to his needs all his resources except a residence homestead occupied by him as a home; and making ineligible for old-age assistance any person refusing to place a lien on any real property that he may own to become enforceable upon death to reimburse the State for the full amount of old age assistance granted to him" and "A G A I N S T the Constitutional Amendment rendering ineligible for old-age assistance any person who assigns or transfers property to render himself eligible or fails to utilize to his needs all his resources except a residence homestead occupied by him as a home; and making ineligible for old-age assistance any person refusing to place a lien on any real property that he may own to become enforceable upon death to reimburse the State for the full amount of old-age assistance granted to him."

"Section 6. The Governor of the State of Texas shall issue the necessary proclamation for said election and shall have the same published and held as required by the Constitution for Amendments thereto.

"Section 7. The proposed Amendments set out above shall be voted upon and treated as separate propositions and submissions and should a majority of the votes cast upon each proposition be for it, the Governor shall within thirty (30) days after said election issue a proclamation declaring such Amendment to be a part of the Constitution of the State of Texas. If a majority of the votes cast upon any proposition shall be against it, the amendment shall fail.

"Section 8. The sum of twelve thousand, five hundred dollars (\$12,500.00) or so much thereof as may be necessary, is hereby appropriated out of any funds of the Treasury of the State not otherwise appropriated, to pay the expense of said publication and election."

Senator Taylor moved to table the substitute for the amendment and the amendment to the amendment.

Yeas and nays were demanded on the motion to table.

The roll was called, and the vote was announced: Yeas 13, nays 13. The President voted "yea" and the motion to table prevailed by the following vote:

## Yeas—14

Mr. President	Moore
Bullock	Shivers
Carney	Stanford
Graves	Taylor
Hazlewood	Weinert
Lanning	Winfield
Martin	York

## Nays—13

Aikin	Moffett
Brown	Morris
Chadick	Parrish
Crawford	Stone
Jones	Sulak
Knight	Vick
Lane	

## Absent—Excused

Kelley	Spears
Metcalf	

## Paired

Senator Ramsey (present), who would vote "nay" with Senator Mauritz (absent), who would vote "yea."

Question then recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment to the amendment was adopted by the following vote:

## Yeas—14

Bullock	Shivers
Carney	Stanford
Graves	Stone
Hazlewood	Taylor
Lanning	Weinert
Martin	Winfield
Moore	York

## Nays—12

Aikin	Lane
Brown	Moffett
Chadick	Morris
Crawford	Parrish
Jones	Sulak
Knight	Vick

## Absent—Excused

Kelley	Spears
Metcalf	

## Paired

Senator Ramsey (present), who would vote "nay" with Senator Mauritz (absent), who would vote "yea."

Senator Chadick moved to table the amendment as amended.

Yeas and nays were demanded and the motion to table was lost by the following vote:

## Yeas—12

Aikin	Lane
Brown	Moffett
Chadick	Morris
Crawford	Parrish
Jones	Sulak
Knight	Vick

## Nays—14

Bullock	Shivers
Carney	Stanford
Graves	Stone
Hazlewood	Taylor
Lanning	Weinert
Martin	Winfield
Moore	York

## Absent—Excused

Kelley	Spears
Metcalf	

## Paired

Senator Ramsey (present), who would vote "yea" with Senator Mauritz (absent), who would vote "nay."

(Pending consideration of the amendment as amended, Senator Lanning occupied the Chair temporarily.)

(President in the Chair)

Question—Shall the amendment as amended be adopted?

### Reports of Standing Committees

By unanimous consent, the following committee reports were submitted at this time:

Austin, Texas,  
May 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred H. B. No. 513, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KNIGHT, Chairman.

Austin, Texas,  
May 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 640, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KNIGHT, Chairman.

Austin, Texas,  
May 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 725, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

KNIGHT, Chairman.

Austin, Texas,  
May 7, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 517, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

VICK, Chairman.

Austin, Texas,  
May 7, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 341, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MARTIN, Vice Chairman.

Austin, Texas,  
May 7, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Agriculture to whom was referred S. B. No. 333, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

### Recess

Senator Graves moved that the Senate recess to 2:30 o'clock p. m., today.

Yeas and nays were demanded, and the motion prevailed by the following vote:

### Yeas—14

Aikin	Lane
Bullock	Lanning
Chadick	Morris
Crawford	Parrish
Graves	Sulak
Jones	Vick
Knight	York

### Nays—13

Brown	Shivers
Carney	Stanford
Hazlewood	Stone
Martin	Taylor
Moffett	Weinert
Moore	Winfield
Ramsey	

### Absent—Excused

Kelley	Metcalfe
Mauritz	Spears

The Senate, accordingly, at 12:25 o'clock p. m., took recess to 2:30 o'clock p. m., today.

### Afternoon Session

The Senate met at 2:30 o'clock p.

m., and was called to order by the President.

#### House Bill 754 on Second Reading

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 754, A bill to be entitled "An Act creating a physical restoration service for crippled children in the State Department of Education; providing for the powers and duties of said service; granting unto said service power to establish diagnostic clinics and to designate hospitals for the care, treatment and hospitalization of crippled children, and to pay the costs thereof in cases of indigent children; designating the county judge as the agency to determine and certify who are indigent children, repealing all laws and parts of laws only to the extent of the conflict of this Act; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

Amend House Bill No. 754, by striking out all below the enacting clause and inserting in lieu thereof, the following:

"Section 1. Section 9 of House Bill 611, Acts of the 47th Legislature, Regular Session, 1941, being Chapter 562 of General and Special Laws, 47th Legislature, Regular Session, as amended, and being known as the Public Welfare Act of 1941, is hereby amended to hereafter read as follows:

'Section 9. No provisions of this Act shall in any manner interfere with the powers and functions of the Vocational Rehabilitation Division of the Department of Education, the State Commission for the Blind, or the Division of Maternal and Child Health of the State Department of Health, or the Juvenile Boards of any of the Counties, authorized by Title 62, Revised Civil Statutes of Texas, as amended, except as hereinafter provided. All the rights, powers, and duties heretofore conferred by Chapter 158, page 400, General Laws, 43rd Legislature, Regular Session, 1933, upon the Vocational Rehabilitation Division of the State Department of

Education in respect to the physical restoration services for crippled children under 21 years of age, not otherwise in conflict with any of the provisions of this Act, are hereby continued in full force and effect, except as hereinafter amended, and are hereby transferred to, and conferred upon the State Department of Public Welfare, as created by Senate Bill 36, Acts of the 47th Legislature, Regular Session, as amended, and shall be held, exercised and performed by the State Department of Public Welfare under the provisions of this Act, and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose, the records, moneys on hand, and physical properties of the section embodying the physical restoration services for crippled children under 21 years of age in the Vocational Rehabilitation Division of the Department of Education are hereby transferred to the State Department of Public Welfare and placed under its supervision and administration. The records, and the services for crippled children formerly created in the Vocational Rehabilitation Division of the Department of Education are hereby transferred to the State Department of Public Welfare and are from and after this date no longer the responsibility of the Vocational Rehabilitation Division of the Department of Education.

'The State Department of Public Welfare is hereby designated as the Agency to receive funds which are allocated and appropriated by the Federal Government to be used in the State of Texas in matching State funds which are appropriated by the Legislature, and to receive any other funds which are not required to be matched by the Legislature for the physical restoration of crippled children as provided for in this Act.

'All moneys derived from any source which are now in custody of the crippled children's section of the Vocational Rehabilitation Division of the State Department of Education shall be transferred to the credit and use of the State Department of Public Welfare for the physical restoration services for crippled children.

'The State Treasury and Comptroller of Public Accounts are authorized to transfer all said accounts of the crippled children's section of the Vocational Rehabilitation Division of the

State Department of Education to the State Department of Public Welfare on the effective date of this Act.

'The State Department of Public Welfare is empowered and directed to take all action necessary to accomplish the purpose provided or implied by this Act and to cooperate with Public Agencies, Federal, State, County and Local and with private agencies or individuals interested in the welfare of crippled children.

'The State Department of Public Welfare is authorized to make rules, regulations, policies and employ sufficient personnel as is necessary to carry out the provisions of this Act and to secure sufficient clerical assistance, equipment and supplies as are needed.

'The State Department of Public Welfare is authorized to receive gifts and donations for this work. All gifts and donations for crippled children's work shall be paid into the State Treasury and the same are hereby re-appropriated for the purpose of this Act. The Treasurer of the State of Texas shall pay out all money and funds provided for in this Act upon proper warrant issued by the Comptroller of the State of Texas drawn upon vouchers approved by the State Department of Public Welfare and the Department of Public Welfare shall report annually to the Governor amounts received and expended and work accomplished."

"Section 2. Section 9 of House Bill 611, Acts of the 47th Legislature, Regular Session, 1941, being known as the Public Welfare Act of 1941 is hereby amended by adding a new Section to be known as Subsection 9a which shall read as follows:

'Sub-section 9a. A crippled child is defined as any person of normal mentality, under twenty-one years of age, whose physical function or movements are impaired by reason of a joint, bone, or muscle defect or deformity, to the extent that the child is or may be expected to be totally or partially incapacitated for education or remunerative occupation. To be eligible for services under this Act, the child's disability must be such that it is reasonable to expect that such child can be improved through hospitalization, medical or surgical care, artificial appliances, or through a combination of these services.

'The State Department of Public

Welfare is empowered to take census, make surveys and establish permanent records of crippled children; to cooperate with the State Department of Education in facilitating educational opportunities for crippled children; to procure medical and surgical services for crippled children, provided that only physicians legally qualified to practice medicine and surgery in Texas be employed for purposes of diagnosis and treatment; provided, however, that for crippled children having defects of the oral cavity, legally qualified dentists may be employed for purposes of diagnosis and treatment; that not more than the customary minimum fees be paid for such services, and that physicians or surgeons so employed shall be approved by the State Department of Public Welfare as qualified to render such services; to select and designate hospitals for the care of crippled children contemplated by this Act, and to take such other steps as may be necessary in order to accomplish the purpose of this Act.

'At the discretion of the State Department of Public Welfare, transportation, appliances, braces and material necessary in the proper handling of crippled children may be in part or entirely provided.

'The State Department of Public Welfare is directed to provide in Rules and Regulations, the necessary details for the conduct of this work, consistent with the purpose of this Act, which shall permit as far as possible, the free choice of patients in their selections of physicians and hospitals, and shall arrange with hospitals, brace departments and other services providing for crippled children's work, compensation for such services, provided that such fees or charges shall not exceed the average charges for the same services rendered to patients in the hospitals approved for purposes of this Act.

'Applications for care and treatment provided in this Act shall be filed in the local offices of the Department of Public Welfare in the County in which the child resides, and the local worker of the Department of Public Welfare shall make the proper investigation in accordance with Rules and Regulations promulgated by the Department. The application shall be made in the manner and on the forms prescribed by the Department and signed by the parents of the child or

persons standing in loco parentis, and said application must be accompanied by an examination report signed by a physician regularly practicing under laws of the State of Texas.

"The children whose parents or those in loco parentis are unable to provide for such care and treatment shall be cared for in accordance with the provisions of this Act, and those children whose parents or those in loco parentis are financially able to pay in part for such treatment and care may be provided for in accordance with the provisions of this Act. Provided further that the State Department of Public Welfare nor its agents or representatives shall by virtue of this Act have any right to enter any home over the objection of the parents or any person standing in loco parentis of such child, and nothing in this Act shall be construed as limiting the power of the parents or guardian or person standing in loco parentis over such child."

"Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of the conflict only."

"Section 4. If any section, subsection, paragraph, sentence, clause, phrase, or word in this Act, or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares it would have such remaining portions despite such invalidity."

"Section 5. The fact that there are now insufficient facilities for taking care of crippled children; the fact that this Child Welfare Service needs to be coordinated with similar State services; the fact that the State Department of Public Welfare has local offices in all sections of the State which facilitate travel for those needing these services; the fact that many of these children are already known to the State Department of Public Welfare, and this transfer will prevent duplication of services creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

(Senator Martin in the Chair)

The amendment was lost.

Senator Morris offered the following amendment to the bill:

Amend caption to H. B. No. 754 by striking out the words "State Department of Education" in the second line and substitute the words "State Department of Health."

The amendment was adopted.

House Bill No. 754 was then passed to third reading.

#### House Bill 754 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 754 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

Absent—Excused

Kelley	Metcalf
Mauritz	Spears

(President in the Chair)

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 9, 1945.

Hon. John Lee Smith, President of  
the Senate.

Sir: I am directed by the House to  
inform the Senate that the House has  
passed the following resolutions:

H. C. R. No. 91 inviting Cpl. "Hop"  
Halsey to address a Joint Session of  
the Legislature at 11:30 a. m., on  
Wednesday, May 16, 1945.

H. C. R. No. 65, Concerning inter-  
national Pink Bollworm Commission  
and related matters.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

## House Concurrent Resolution 93

Senator Knight moved that the  
regular order of business be suspended  
to take up for consideration at this  
time, House Concurrent Resolution  
No. 93.

The motion prevailed by the follow-  
ing vote:

## Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

The President then laid before the  
Senate the following resolution:

H. C. R. No. 93, Recalling House Bill  
No. 729 and House Bill No. 730 from  
the Governor's Office.

The resolution was read and was  
adopted by the following vote:

## Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

## Committee Substitute

House Joint Resolution 13 on Passage  
to Third Reading

The Senate resumed consideration  
of pending business, same being C.  
S. H. J. R. 13, proposing an amend-  
ment to the Constitution, relative to  
assistance to the aged, with amend-  
ment by Senator Taylor, as amended,  
pending.

Senator York offered the following  
amendment to the amendment as  
amended:

Amend Taylor Substitute as amend-  
ed by striking out of sub-section 1 on  
page 1 all matter therein after the  
words "twenty dollars (\$20.00) per  
month."

Senator Taylor moved to table the  
amendment to the amendment.

Yeas and nays were demanded, and  
the motion to table was lost by the  
following vote:

## Yeas—12

Bullock	Moore
Carney	Shivers
Graves	Stone
Hazlewood	Taylor
Lanning	Weinert
Martin	Winfield

## Nays—14

Aikin	Moffett
Brown	Morris
Chadick	Parrish
Crawford	Stanford
Jones	Sulak
Knight	Vick
Lane	York

## Absent—Excused

Kelley                      Spears  
Metcalf

## Paired

Senator Ramsey (present), who would vote "nay" with Senator Mauritz (absent), who would vote "yea."

Question recurring on the amendment to the amendment, as amended, it was adopted by the following vote:

## Yeas—14

Aikin                      Moffett  
Brown                      Morris  
Chadick                      Parrish  
Crawford                      Stanford  
Jones                      Sulak  
Kelley                      Vick  
Lane                      York

## Nays—12

Bullock                      Moore  
Carney                      Shivers  
Graves                      Stone  
Hazlewood                      Taylor  
Lanning                      Weinert  
Martin                      Winfield

## Absent—Excused

Knight                      Spears  
Metcalf

## Paired

Senator Ramsey (present), who would vote "yea" with Senator Mauritz (absent), who would vote "nay."

The amendment as amended then was adopted by the following vote:

## Yeas—17

Aikin                      Moore  
Brown                      Shivers  
Bullock                      Stanford  
Carney                      Stone  
Graves                      Taylor  
Hazlewood                      Weinert  
Lane                      Winfield  
Lanning                      York  
Martin

## Nays—9

Chadick                      Morris  
Crawford                      Parrish  
Jones                      Sulak  
Knight                      Vick  
Moffett

## Absent—Excused

Kelley                      Spears  
Metcalf

## Paired

Senator Ramsey (present), who would vote "nay" with Senator Mauritz (absent), who would vote "yea."

On motion of Senator Taylor, and by unanimous consent, the caption was amended to conform with the body of the resolution as amended.

Committee Substitute House Joint Resolution No. 13 was then passed to third reading.

## Committee Substitute

## House Joint Resolution 13 on Third Reading

Senator Taylor moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. J. R. No. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin                      Moore  
Brown                      Morris  
Bullock                      Parrish  
Carney                      Ramsey  
Crawford                      Shivers  
Graves                      Stanford  
Hazlewood                      Stone  
Jones                      Sulak  
Knight                      Taylor  
Lane                      Weinert  
Lanning                      Winfield  
Martin                      York  
Moffett

## Nays—2

Chadick                      Vick

## Absent—Excused

Kelley                      Metcalf  
Mauritz                      Spears

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

## Yeas—21

Aikin                      Moffett  
Brown                      Moore  
Bullock                      Parrish  
Carney                      Ramsey  
Crawford                      Shivers  
Graves                      Stanford  
Hazlewood                      Stone  
Knight                      Taylor  
Lane                      Winfield  
Lanning                      York  
Martin

## Nays—6

Chadick	Sulak
Jones	Vick
Morris	Weinert

## Absent—Excused

Kelley	Metcalf
Mauritz	Spears

**House Concurrent Resolution 91**

On motion of Senator Parrish, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 91, Inviting Cpl. "Hop" Halsey to address joint Session of the Legislature at 11:30 o'clock a. m. Wednesday, May 16, 1945.

The resolution was read and was adopted.

**House Concurrent Resolution 57**

On motion of Senator Martin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 57, Requesting the Congress of the United States to include members of the United States Maritime Service, the United States Merchant Marine, and the United States Merchant Marine Cadet Corps in the special income tax exemption.

The resolution was read and was adopted.

**Senate Resolution 73****Address by Lieutenant Fred Harris**

Senator Graves, by unanimous consent, offered the following resolution:

Be it resolved by the Senate of the State of Texas,

That whereas, Lieutenant Fred Harris, United States Navy, who has just returned from a tour of duty in the South Pacific is now present in the Capitol building, and

Whereas, Lieutenant Harris is a distinguished citizen of Texas, and a former member of the House of Representatives and a resident of Dallas, and

Whereas, Lieutenant Harris has distinguished himself in the service of his country; now,

Therefore be it resolved that Lieutenant Harris be granted the privilege of the Senate floor for today and

be invited to briefly address the Senate.

GRAVES  
STONE

The resolution was read, and was adopted.

Accordingly, the President appointed Senators Graves, Taylor, Aikin, and Stone as a Committee to escort Lieutenant Harris to the President's rostrum.

The Committee performed the duty assigned it, and Senator Graves presented Lieutenant Fred Harris, who addressed the Senate.

**House Bill 336 on Second Reading**

The President laid before the Senate, as a special order for this hour on its second reading and passage to third reading:

H. B. No. 336, A bill to be entitled "An Act relating to the posting of citations and notices in probate matters; clarifying the duties of the sheriff or constable serving citations or notices in probate matters which are required to be served by posting; validating citations and notices and the service and return thereof in probate matters where service thereof was required to be done by posting and validating the actions of probate courts upon and with respect to matters in regard to which citations and notices were required to be served by posting; providing such service and return was made as provided in this Act; providing that this Act shall not apply to certain cases; and declaring an emergency."

The bill was read second time.

Senator Vick offered the following Amendment to the bill:

Amend House Bill No. 336 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. In any probate matter where citation or notice is required to be served by posting and such citation or notice is issued in conformity with the applicable statute or statutes, the citation or notice and the service and return thereof shall be sufficient and valid if the sheriff or any constable of the county wherein probate matter is pending, posts a copy or copies of such citation or notice at the place or places prescribed by the applicable statute or statutes on a day which is sufficiently

prior to the return day named in such citation, or notice for the period of time for which such citation or notice is required to be posted to elapse before the return day named in such citation or notice, and the fact that such sheriff or constable makes his return on such citation or notice and returns same into court before the period of time for which such citation or notice is required to be posted elapses, shall not affect the sufficiency or validity of such citation or notice or the service or return thereof even though such return is made, and such citation or notice is returned into court on the same day it is issued.

"Section 2. The fact that present and former statutes of Texas pertaining to the posting of citations and notices in probate matters fail to state explicitly the manner and sufficiency of such posting, and the duties of the sheriff or constable with respect to service by posting of such citations, and notices and the time for the return of same into court by the officers serving them, and there is a necessity for the Legislature to clearly state the meaning of such statutes, creates an emergency and an imperative necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Vick offered the following amendment to the bill:

Amend House Bill No. 336 by striking out all above the enacting clause and inserting in lieu thereof the following:

"An Act relating to the posting and return of citations and notices in probate matters; clarifying the duties of the sheriff or constable serving citations or notices in probate matters required to be served by posting; and declaring an emergency."

The amendment was adopted.

House Bill No. 336 was then passed to third reading.

#### House Bill 336 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

#### Absent—Excused

Kelley	Metcalfe
Mauritz	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Moffett	

#### Absent—Excused

Kelley	Metcalfe
Mauritz	Spears

#### House Concurrent Resolution 61

On motion of Senator Aikin, and by unaniomus consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 61, Relating to adjournment of Legislature sine die.

Senator Moore offered the following amendment to the resolution:

Amend H. C. R. 61 by inserting after the words "May 22, 1945" the words "until September 1, 1945"

(at the request of Representative J. E. Winfree)

Senator Aikin moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—11

Aikin	Lanning
Brown	Martin
Bullock	Moffett
Carney	Taylor
Crawford	Winfield
Jones	

Nays—13

Graves	Shivers
Hazlewood	Stanford
Knight	Stone
Lane	Sulak
Moore	Vick
Morris	York
Parrish	

Present—Not Voting

Chadick

Absent

Ramsey	Weinert
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Absent—Excused

Kelley	Metcalf
Mauritz	Spears

(Senator Stone in the Chair)

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—16

Brown	Morris
Crawford	Parrish
Graves	Shivers
Hazlewood	Stanford
Knight	Stone
Lane	Sulak
Lanning	Vick
Moore	York

Nays—8

Aikin	Jones
Bullock	Martin
Carney	Moffett
Chadick	Winfield

Absent

Ramsey	Weinert
Taylor	

Absent—Excused

Kelley	Metcalf
Mauritz	Spears

Senator Shivers offered the following amendment to the resolution as amended:

Amend House Concurrent Resolution No. 61, by striking out all of same except the name of the House Author and the number thereof and substituting in lieu thereof the following:

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, that the Forty-ninth Legislature stand adjourned sine die at 12 o'clock noon, May 24, 1945.

The amendment was adopted.

H. C. R. No. 61, as amended, was then adopted.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 237 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LANNING, Chairman.

Austin, Texas,  
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Civil Jurisprudence to whom was referred H. B. 665, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Counties and County Boundaries to whom was referred H. B. 859, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Sir: We, your committee on State Affairs to whom was referred H. B. 814, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MARTIN, Chairman.

### Recess

On motion of Senator Stanford, the Senate, at 4:35 o'clock p. m., took recess until 10:30 o'clock a. m. tomorrow.

### SEVENTIETH DAY Continued

(Thursday, May 10, 1945; Legislative Day of Wednesday—Continued)

The Senate met at 10:30 o'clock a. m., and was called to order by the President.

### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 95, Relative to House Bills Nos. 729 and 730.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk House of Representatives.

### House Concurrent Resolution 95

On motion of Senator Sulak, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 95, Directing that House Bill No. 729 and House Bill No. 730 shall take effect immediately.

The resolution was read and was adopted by the following vote:

Yeas—29

Aikin	Jones
Brown	Knight
Bullock	Lane
Carney	Metcalf
Chadick	Lanning
Crawford	Martin
Graves	Mauritz
Hazlewood	Moffett

Moore	Sulak
Morris	Taylor
Parrish	Vick
Ramsey	Weinert
Shivers	Winfield
Stanford	York
Stone	

Absent—Excused

Kelley                      Spears

### Vote to Place House Bill 729 Into Effect

The President laid H. B. No. 729 before the Senate, and directed the Secretary to call the roll on the question of whether or not the bill shall be passed and placed into effect immediately.

The roll was called, and the result announced as follows:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

Absent—Excused

Kelley                      Spears

### Vote to Place House Bill No. 730 Into Effect

The President then laid H. B. No. 730 before the Senate, and directed the Secretary to call the roll on the question of whether or not the bill shall be passed and placed into effect immediately.

The roll was called and the result was announced as follows:

Yeas—29

Aikin	Hazlewood
Brown	Jones
Bullock	Knight
Carney	Lane
Chadick	Lanning
Crawford	Martin
Graves	Mauritz